

Message Text

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PAGE 01 TEHRAN 06636 121215Z
ACTION L-03

INFO OCT-01 EUR-12 EA-10 NEA-10 ISO-00 OES-09 NRC-05
MCE-00 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00
ICAE-00 INRE-00 ACDA-12 SOE-02 AF-10 ARA-10 PM-05
H-01 INR-10 IO-13 NASA-01 OIC-02 SP-02 PA-01
CEQ-01 SS-15 /135 W

-----105937 121222Z /41

O 121020Z JUL 78

FM AMEMBASSY TEHRAN

TO SECSTATE WASHDC IMMEDIATE 9334

INFO USDOE WASHDC IMMEDIATE

AMEMBASSY CANBERRA

AMEMBASSY OTTAWA

AMEMBASSY VIENNA

C O N F I D E N T I A L TEHRAN 6636

USDOE FOR SIEVERING

USIAEA

EO 11652: GDS

TAGS: ENRG, PARM, IR

SUBJ: US-IRAN NUCLEAR COOPERATION AGREEMENT

REF: STATE 125797

1. DEPUTY ASSISTANT SECRETARY NOSENZO, ASSISTANT LEGAL
ADVISOR BETTAUER AND SCIATT MET WITH AEOI PRESIDENT DR.
ETEMAD, VICE PRESIDENT (INTERNATIONAL AFFAIRS) MANZOOR
AND LEGAL ADVISOR TABARI ON JULY 8-11 TO CONSIDER
OUTSTANDING ISSUES IN DRAFT NUCLEAR COOPERATION AGREEMENT
AND ACCOMPANYING NOTE. REMAINING ISSUES RESOLVED AND
DRAFT AGREEMENT AND ACCOMPANYING NOTE INITIALED AD
REFERENDUM ON JULY 11. TEXTS ARE BEING HAND CARRIED
TO WASHDC.

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2. PRINCIPAL MODIFICATIONS TO NOTE (PARA 3 REFTL)

ARE AS FOLLOWS:

A. REPROCESSING MFN (NEW PARA 9 OF NOTE): "NOTWITH-
STANDING THE PREVIOUS PARAGRAPHS, WHEN THE NEED ARISES
FOR IRAN TO ARRANGE FOR DISPOSITION OF ITS SPENT FUEL,
IF THE UNITED STATES HAS, SUBSEQUENT TO THE DATE OF

ENTRY INTO FORCE OF THIS AGREEMENT, APPROVED THE REPROCESSING OF ANY OTHER COOPERATING STATE'S SPENT FUEL TO ACCOMMODATE THAT STATE'S FUEL CYCLE MANAGEMENT, THE UNITED STATES WOULD APPROVE REPROCESSING OF IRANIAN SPENT FUEL TO MEET COMPARABLE IRANIAN NEEDS, IN THE UNITED KINGDOM, FRANCE OR OTHER MUTUALLY AGREED STATES UNDER ARRANGEMENTS WHICH PROVIDE IRAN WITH BENEFITS COMPARABLE TO THOSE PROVIDED TO SUCH OTHER STATE AND UNDER TERMS AND CONDITIONS NO LESS FAVORABLE THAN THOSE APPLICABLE TO SUCH OTHER STATE."

B. RETRANSFER (NEW PARAGRAPH TO BE INSERTED IN NOTE BETWEEN PARA 10 AND 11): "WITH REFERENCE TO ANY MATERIAL, EQUIPMENT OR COMPONENTS TRANSFERRED BY THE UNITED STATES PURSUANT TO THE AGREEMENT, OR PRODUCED THROUGH THE USE THEREOF, THE UNITED STATES WILL ACT ON A TIMELY BASIS ON REQUESTS FROM IRAN FOR AGREEMENT TO TRANSFER SUCH MATERIAL, EQUIPMENT OR COMPONENTS TO OR FROM IRAN. MOREOVER, THE UNITED STATES INTENDS TO ACT EXPEDITIOUSLY ON ANY REQUEST FOR AGREEMENT TO TRANSFER TO INTERMEDIATE DESTINATIONS FOR PURPOSES OF CONVERSION, ENRICHMENT, FABRICATION OR OTHER PROCESSING IN THE PREPARATION OF FUEL ELEMENTS FOR USE IN IRAN WHERE SUCH TRANSFERS HAVE BEEN IDENTIFIED IN AN APPLICABLE EXPORT LICENSE APPLICATION. THE UNITED STATES WILL PROMPTLY ADVISE IRAN OF ITS AGREEMENT TO TRANSFER REQUESTS OR OF THE REASONS FOR ANY OTHER ACTION ON SUCH REQUESTS."
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C. GENERAL MFN (SENTENCE ADDED TO END OF PARA 3):
"MOREOVER, THE UNITED STATES INTENDS TO IMPLEMENT THE PROVISIONS OF THE AGREEMENT IN SUCH A MANNER AS TO FACILITATE THE EFFICIENT AND ECONOMIC OPERATION OF IRAN'S NUCLEAR PROGRAM AND THE SATISFACTION OF IRAN'S LEGITIMATE NEEDS FOR TECHNOLOGY TRANSFER."
D. IMPLEMENTATION (NEW PARAGRAPH TO BE INSERTED IN NOTE BETWEEN PARAGRAPHS 11 AND 12): "THE PARTIES AFFIRM THEIR INTENTION TO IMPLEMENT THE AGREEMENT AND THIS NOTE IN GOOD FAITH AND IN A SPIRIT OF CLOSE COOPERATION, IN ACCORDANCE WITH THEIR APPLICABLE TREATIES, NATIONAL LAWS, REGULATION AND LICENSE REQUIREMENTS."

3. PRINCIPAL MODIFICATIONS TO AGREEMENT (PARA 2 REFTEL) WERE ADDITION OF COMPONENTS AS DEFINED CATEGORY UNDER AGREEMENT WITH PROVISION FOR IAEA AND BACK UP SAFEGUARDS, NO-EXPLOSIVE PLEDGE AND U.S. CONSENT FOR RETRANSFER. WE PROPOSED NEW LANGUAGE CONTAINED IN MODEL AGREEMENT ON PROTECTION OF THE INTERNATIONAL ENVIRONMENT, BUT IRANIAN SIDE PREFERRED EXISTING LANGUAGE OF ARTICLE 13 OF DRAFT US-IRAN AGREEMENT, NOTING THAT U.S. AND IRAN ALREADY HAVE ACTIVE COOPERATIVE

EFFORT IN ENVIRONMENTAL PROTECTION AREA.

4. U.S. AND IRANIAN PROCEDURES FOR APPROVAL WERE REVIEWED WITH ETEMAD AND MANZOOR. PLAN IS TO SUBMIT TEXTS FOR APPROVAL BY TWO GOVERNMENTS WITH SUBSEQUENT SIGNING OF AGREEMENT IN TEHRAN (IRANIAN PREFERENCE). WE INDICATED THAT U.S. SHOULD BE READY FOR SIGNATURE IN ABOUT ONE MONTH IF ALL NECESSARY ACTIONS WERE TAKEN ON URGENT BASIS. ETEMAD SAID THAT GOI WOULD NEED ABOUT SAME AMOUNT OF TIME. IT WAS AGREED THAT SINCE AGREEMENT IS AD REFERENDUM THERE SHOULD BE MINIMAL PUBLICITY OF MATTER UNTIL OFFICIAL SIGNING. PRESS WOULD BE TREATED ON AN IF ASKED BASIS, ACKNOWLEDGING THAT TEXTS HAVE BEEN AGREED AD REFERENDUM AND WERE NOW BEING CONSIDERED CONFIDENTIAL

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BY TWO GOVERNEMENTS.

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Message Attributes

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Draft Date: 12 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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Litigation History:
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Status: NATIVE
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